

UNITED STATES OF AMERICA  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

UNITED STATES

V.

CASE NO.: 2:17CR126

DARYL G. BANK

**MOTION TO DISMISS FOR DOUBLE JEOPARDYVIOLATION**

Now Comes the Defendant, Daryl G. Bank, and pursuant to the Double Jeopardy Clause of the Fifth Amendment and Kokesh v. S.E.C., 137 S.Ct. 1635 (2017), and moves the Court to dismiss the indictment now pending against him.

WHEREFORE, Mr. Bank respectfully requests the Court to grant this Motion.

Respectfully submitted,

DARYL G. BANK  
By Counsel

/s/  
James O. Broccoletti, Esquire  
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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of November, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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